

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

District of Puerto Rico

United States of America  
v.  
SERGIO ANTONIO CEPEDA-GUZMAN,  
SANTOS ACEVEDO-SUEROS

Case No.

13-1473(M)

Defendant(s)

2013 DEC -6 PM 3:38

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## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 5, 2013 in the county of \_\_\_\_\_ in the  
\_\_\_\_\_ District of Puerto Rico, the defendant(s) violated:

Code Section

Offense Description

Title 21, United States Code,  
Section 841(a)(1) & (b)(1)(A)(ii)

The defendants herein did knowingly and intentionally possess with intent to distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(a)(1) & (b)(1)(A)(ii).

This criminal complaint is based on these facts:

See Affidavit for Criminal Complaint attached.

Approved by AUSA Elbagabean 12/06/2013  
gov. recommendation: Detention

☒ Continued on the attached sheet.


Complainant's signature

FBI Special Agent Angel R. Hernandez

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/06/2013


Judge's signature

City and state: San Juan, Puerto Rico

Magistrate Judge Silvia Carreñ-Coll

Printed name and title

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# United States District Court

## FOR THE DISTRICT OF PUERTO RICO

### AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Angel R. Hernandez, a Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, depose and state as follows:

#### INTRODUCTION

1. I am a Special Agent (“SA”) with the Federal Bureau of Investigation (“FBI”) and, as such, I am an investigative law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510 (7), that is, an officer of the United States who is empowered to conduct criminal investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516.
2. I have been so employed since October 1999. As an FBI Special Agent I have received extensive training in the investigation of violations of federal and state law. I have participated in numerous investigations that involved personally obtaining and assisting in the execution of federal search warrants, arrests, and filing criminal complaints. I have participated in the surveillance and investigation of numerous drug traffickers. I have debriefed numerous persons arrested for controlled substance trafficking and have debriefed and directed confidential informants in gathering controlled substance intelligence. Through my experience, training, and conversations with other investigators, I have also become familiar with the manner in which controlled substances are imported, manufactured, distributed and sold. More specifically, I have become familiar with the efforts of persons engaged in the

importation, smuggling, manufacturing, distribution, and sales of controlled substances to avoid detection and apprehension by law enforcement officers. I have participated in wiretap investigations concerning the unlawful importation of controlled substances, possession with intent to distribute controlled substances, distribution of controlled substances, the laundering of monetary instruments, monetary transactions in property derived from specified unlawful activities, and conspiracies associated with such violations.

3. I am currently assigned to the Criminal Enterprise Squad One (CE-1) within the FBI, San Juan Division, where our primary responsibility is to investigate Transnational Criminal Enterprises engaged in the importation/distribution of illegal narcotics and money laundering among other violations. I have received detailed instruction in and have conducted various complex conspiratorial investigations concerning the unlawful importation and distribution of controlled substances, the laundering and concealment of drug proceeds, and the illegal use of communication facilities by drug traffickers in furtherance of their criminal activities. I am aware that drug traffickers communicate with their drug trafficking associates utilizing cellular, residential and business telephones. I am also aware that drug traffickers often utilize coded language, frequently change their telephone numbers and discard their respective telephones in an effort to avoid law enforcement detection.
4. I am aware that drug traffickers conceal their properties and move their monetary currency to avoid law enforcement detection. I have received FBI training in the areas of money laundering, financial investigations, telecommunication/internet exploitation, and asset forfeiture, among others. I have also spoken in depth to

experienced investigators concerning the methods and practices of drug traffickers and money launderers. During these conversations, I was able to validate the conclusions which I have drawn based on my own experience.

5. Through my own experience and training, I have become familiar with the methods of operation typically utilized by drug traffickers.
6. I make this affidavit based upon my experience, training and personal knowledge derived from my participation in this investigation and based upon other credible information.
7. Except where otherwise noted, the information set forth in this affidavit has been provided to me by another law enforcement officer (who may have had either direct or indirect knowledge of the statement) to whom I have spoken or whose report I have read and reviewed. Such statements are among several statements made by others and are stated in substance, unless otherwise indicated. Moreover, information resulting from surveillance, except where otherwise noted, does not set forth my personal observations but rather has been provided directly or indirectly through other law enforcement officers who conducted such surveillance.
8. I am currently assigned as the case agent for the investigation described in this affidavit. As a result of my personal participation, I have become familiar with all aspects of this investigation concerning the following offenses: Conspiracy to Possesses with Intent to Distribute a Controlled Substance, in violation of Title 21, United States Code, Sections 841 and 846; Conspiracy to Import a Controlled Substance into the United States, in violation of Title 21, United States Code, Sections 963, 960, 952 (hereinafter referred as TARGET OFFENSES).

**FACTS ESTABLISHING PROBABLE CAUSE**

9. On December 5, 2013, in the early morning hours, Police of Puerto Rico (PoPR), "Fuerza Unida de Rapida Accion" Unit (FURA) Maritime Agents, detected a suspicious vessel (vessel) traveling inbound towards the South East (SE) area of Puerto Rico, without navigation lights. FURA agents observed the vessel heading toward the beach area referred to as "Punta Mala Pascua," within Patillas, PR.
10. The vessel ran aground at the above indicated area and FURA agents observed the three abscond into the hillside.
11. The vessel is a white in color, approximately 33 feet long, "Eduardoño" vessel (the "Eduardoño").
12. The Eduardoño contained 54 bales of what appeared to be illegal narcotics. A field test performed of one of the bricks from the shipment resulted positive to cocaine.
13. Food products from Venezuela were also located inside the Eduardoño alongside various electronic communication devices, including a satellite telephone, cellular telephones and GPS devices.
14. At approximately 7:05 am, while PoPR agents where conducting a search near the location where the vessel ran aground, the agents located SERGIO ANTONIO CEPEDA-GUZMAN, date of birth August 14, 1970, Dominican National with "Cedula" Number 001-1188640-4. CEPEDA-GUZMAN was located laying on the ground and hiding behind an

abandoned structure within several hundred feet from the place where the Eduardoño ran aground. Upon being addressed by FURA agents, CEPEDA-GUZMAN indicated that he had changed his clothes and that he had left his wet clothing underneath a palm tree adjacent to the location. The FURA agents located the wet clothing and placed CEPEDA-GUZMAN under arrest.

15. While in custody, CEPEDA-GUZMAN was interviewed by law enforcement officers and was advised of his constitutional rights, which he waived and voluntarily provided a statement. CEPEDA-GUZMAN admitted that he was on board the vessel along with two other individuals.
16. During the interview, CEPEDA-GUZMAN indicated that late November, 2013 he travelled from Santo Domingo, Dominican Republic, to Bogota, Colombia. He also indicated that he stayed at an unidentified hotel in Bogota, Colombia for three days and subsequently travelled to Guajira, Colombia where he stayed for several days in a small village. He further indicated that on or about December 4, 2013, during the early morning hours, he boarded a “panga” type vessel with a 40 HP motor and was taken to conduct an at sea rendezvous with the Eduardoño vessel found with the load of cocaine. After CEPEDA-GUZMAN boarded the vessel, he, along with two other Dominican National crew members, known as CHARLEY and PAISA traveled to Puerto Rico. During his voyage to Puerto Rico, onboard the Eduardoño, CEPEDA-GUZMAN observed four rows of containers with gasoline, stacks of cargo covered with a silver/grey tarp, one satellite

telephone, one hand held Global Positioning System (GPS) device, a cooler with food and drinks and life jackets.

17. Law enforcement agents seized from inside the Eduardoño vessel a health insurance card "ARS Palic Salud", affiliate number (Numero de Afiliado) 5355223, date of birth August 14, 1970, with the name of SERGIO ANTONIO CEPEDA-GUZMAN imprinted. Other personal items, which included a lower back support band and US Currency in what in an amount estimated to exceed \$1,000 was also seized from within the Eduardoño vessel.
18. PoPR agents also located inside the Eduardoño vessel a wallet containing an identification card labeled "PARTIDO DE LA LIBERACION DOMINICANA", "DIRECCION NACIONAL ELECTORAL", number 037-0060337-0 with the name SANTOS SUERO imprinted.
19. Later in the afternoon of December 5, 2013, an anonymous tip was received by PoPR agents indicating that an individual was walking around in Playa Los Bohios, Maunabo, PR, inquiring about the possible location of any community of Dominican nationals in the area. The source of the anonymous tip provided a physical description of the individual. Based on the anonymous tip, FURA agents responded to the vicinity of Playa Los Bohios, Maunabo, PR where they located an individual who was walking along the beach area wearing wet clothing. Upon interview of the individual he identified himself as SANTOS ACEVEDO-SUEROS. The arrest location at Playa Los Bohios is approximately 2 miles away from the area of "Punta Mala Pascua," in Patillas, PR where the Eduardoño ran aground. When arrested, ACEVEDO-

SUEROS had US Currency in what is estimated to be in excess of \$1,000 in his right side pocket.

20. While in custody, ACEVEDO-SUEROS was interviewed by law enforcement officers and was advised of his constitutional rights. ACEVEDO-SUEROS understood his rights and after voluntarily waiving his rights indicated that three Dominican nationals were aboard the Eduardoño that had left from Venezuela to Puerto Rico on or about December 3, 2013. He also indicated that they all knew that they were importing controlled substances into the United States and that they would be paid US \$50,000 each for the successful importation of drugs into Puerto Rico.

#### **CONCLUSION**

Based upon my training, experience, and the abovementioned facts, I have probable cause to believe that SERGIO ANTONIO CEPEDA-GUZMAN and SANTOS ACEVEDO-SUEROS have committed the following violations of Federal Laws: Conspiracy to Possesses with Intent to Distribute a Controlled Substance, in violation of Title 21, United States Code, Sections 841 and 846; Conspiracy to Import a Controlled Substance in to the United States, in violation of Title 21, United States Code, Sections 963, 960, 952.

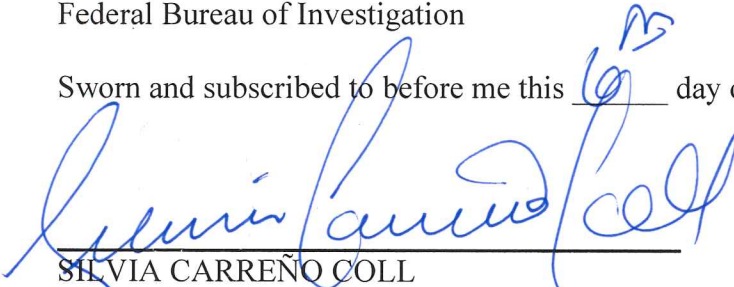


I hereby declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.



\_\_\_\_\_  
Angel R. Hernandez  
Special Agent  
Federal Bureau of Investigation

Sworn and subscribed to before me this 19<sup>th</sup> day of December 2013.



\_\_\_\_\_  
SILVIA CARREÑO COLL  
UNITED STATES MAGISTRATE JUDGE  
DISTRICT OF PUERTO RICO